

Message

From: Latham, John [Latham.John@epa.gov]
Sent: 4/6/2021 11:21:00 AM
To: Aubee, Catherine [Aubee.Catherine@epa.gov]
CC: Ingram, Earl [Ingram.Earl@epa.gov]
Subject: RE: EPA-2021-003184 - Another PFAS in Packaging FOIA from PEER

Catherine,

This is very helpful!

Thanks,

John Latham Jr.
Environmental Protection Agency
OCSPP/OPS/CSID/PIRIB
1200 Pennsylvania Ave NW
Washington, DC 20460
Ph: 202-564-6754
Fax: 202-564-8197

From: Aubee, Catherine <Aubee.Catherine@epa.gov>
Sent: Monday, April 5, 2021 2:26 PM
To: Latham, John <Latham.John@epa.gov>
Cc: Ingram, Earl <Ingram.Earl@epa.gov>
Subject: RE: EPA-2021-003184 - Another PFAS in Packaging FOIA from PEER

Earl and John: so sorry, I flagged these messages and failed to get back to you.

On 1) I ***think*** that OECA issued the subpoena in the coordination with OPPT, although OPPT may issue future subpoenas. I suggest confirming with Diana Saenz. I concur with the exemption.

On 2) Such communications may have included OCSPP IO, OPS, and OPP. I'm unsure about OPPT with these specific conversations. I would expect that most if not all of these would be on Ed Messina's calendar.

I hope this helps.

Best,
Catherine

From: Latham, John <Latham.John@epa.gov>
Sent: Wednesday, March 31, 2021 9:52 AM
To: Aubee, Catherine <Aubee.Catherine@epa.gov>
Cc: Ingram, Earl <Ingram.Earl@epa.gov>
Subject: RE: EPA-2021-003184 - Another PFAS in Packaging FOIA from PEER

Hi Catherine,

I hope all is well. I just wanted to follow-up with you regarding Earl's message below. In regards to item 1, OGC believes it is a defensible position to withhold the subpoena under FOIA exemption 7(a). For item 2, Gloria Odusate (OECA) believes Alex Dunn communicated with FDA, but she's not certain. Do you know for certain that Alex Dunn

communicated with FDA or if other staff would have communicated with FDA, DOT or USDA regarding PFAS contamination in pesticide packaging?

Thanks,

John Latham Jr.
Environmental Protection Agency
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From: Ingram, Earl <Ingram.Earl@epa.gov>
Sent: Tuesday, March 23, 2021 1:52 PM
To: Aubee, Catherine <Aubee.Catherine@epa.gov>
Cc: Latham, John <Latham.John@epa.gov>
Subject: EPA-2021-003184 - Another PFAS in Packaging FOIA from PEER

Catherine,

We have another FOIA request concerning PFAS. This is from the same requester as the first one I sent you, Monica Mercola of Public Employees for Environmental Responsibility (PEER). She withdrew her first request because she realized the information she was seeking, was on PFAS Packaging webpage.

This request is asking the information below:

For Item 1 , Do you know if OECA or OPPT would have issued the January 14, 2021 subpoena to Clarke Manufacturing or who would have a copy.

For Item 2, What Program Offices would have had communications with FDA, DOT and USDA? We would work with offices in collecting these communications, most likely by an E-discovery search.

- **The subpoena under the Toxics Substance Control Act, submitted by EPA on January 14, 2021, to obtain information about the fluorination process used by the company that fluorinates the containers used by Clarke Manufacturing; and**
- **A copy of the communications with the Food and Drug Administration (FDA), Department of Transportation (DOT) and the United States Department of Agriculture (USDA) to understand the extent and significance of the PFAS contamination dated January 14, 2021 to March 17, 2021.**

We appreciate your consistent support you provide us.

Earl Ingram, Chief
Public Information & Records Integrity Branch
Communications Services and Information Division
Office of Program Support
U.S. Environmental Protection Agency
(703) 305-5456